

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HANSWALTER ZENTGRAFT et al.

Title: CANCER DIAGNOSIS BY THE MEASUREMENT OF NUP88 IN BODY SAMPLES

Appl. No.: 09/684,890

Filing Date: October 10, 2000

Examiner: Stephen L. Rawlings

Art Unit: 1642

DECLARATION

Commissioner for Patents
Washington, D.C. 20231

Sir:

I declare:

1. A deposit of the monoclonal antibody identified as 149/1/1, of Accession number, DSM ACC2457, was made at the DSMZ-Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH (DSMZ), Mascheroder Weg 1b, D-38124 Braunschweig, Germany, and accepted under the provisions of the Budapest Treaty for patent purposes.

2. The deposit having Accession number, DSM ACC2457, was made on May 11, 2000.

3. All restrictions on the availability to the public of the culture deposited will be irrevocably removed upon the granting of a patent from the above-identified application.

4. The deposit will be replaced if viable samples cannot be dispensed by the depository.

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5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

Signed this 18th day of April, 2002.

Michele M. Simkin

Name: Michele M. Simkin
Reg. No. 34,717
Applicants' Representative